S T A T E O F N E W Y O R K

8395

2009-2010 Regular Sessions

I N A S S E M B L Y

May 19, 2009

Introduced by M. of A. McENENY, ENGLEBRIGHT, CANESTRARI, BRODSKY, REILLY, GORDON -- (at request of the Governor) -- read once and referred to the Committee on Tourism, Arts and Sports Development

AN ACT to amend the arts and cultural affairs law, in relation to the composition of the board of directors of the Executive Mansion Trust

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivisions 1, 2, 3, 4 and 5 of section 54.05 of the arts and cultural affairs law, as added by chapter 57 of the laws of 1993, are amended to read as follows:

1. A trust known as the "Executive Mansion Trust" is hereby created. The trust shall be a body corporate and politic and its existence shall commence upon the appointment of the [members] CORPORATE DIRECTORS as herein provided.

2. The CORPORATE DIRECTORS OF THE trust shall consist of the commissioner of general services, the commissioner of parks, recreation and historic preservation, the commissioner of education[, the chairman of the board of trustees of the New-York Historical Society] and [a] TWELVE private [citizen] INDIVIDUALS appointed [to a three-year term of membership by the governor; such private citizen shall be a person known for professional competence and experience in the field of history, architecture, art, design or museum services] BY THE GOVERNOR, AT LEAST FOUR OF WHOM SHALL HAVE EXPERIENCE IN THE FIELD OF HISTORY, ARCHITECTURE, ENGINEERING, PRESERVATION, FINANCE, ART, DESIGN OR MUSEUM SERVICES. The director of the budget [and a designee of the governor] shall serve as A non-voting [members] DIRECTOR of the trust. THE DIRECTORS OF THE TRUST APPOINTED BY THE GOVERNOR SHALL SERVE FOR TERMS OF THREE YEARS; PROVIDED, HOWEVER, THAT OF THE DIRECTORS FIRST APPOINTED BY THE GOVERNOR, FOUR SHALL SERVE A TERM OF ONE YEAR, FOUR SHALL SERVE A TERM OF TWO YEARS AND FOUR SHALL SERVE A TERM OF THREE YEARS, AS DESIGNATED BY THE GOVERNOR. THE DIRECTORS OF THE TRUST MAY SOLICIT, ON BEHALF OF THE TRUST

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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AND IN FURTHERANCE OF ITS CORPORATE PURPOSES, GIFTS, DEVISES AND BEQUESTS TO BE DELIVERED TO OR ON BEHALF OF THE TRUST.

3. The powers of the trust shall be vested in and exercised by a majority of the voting [members] DIRECTORS thereof.

4. The [commissioner of general services] GOVERNOR shall [serve as] DESIGNATE A chairperson OF THE BOARD OF DIRECTORS of the trust.

5. The [members] DIRECTORS of the trust shall serve without compensation, but shall be entitled to reimbursement of their actual and necessary expenses incurred in the performance of their official duties.

S 2. Section 54.17 of the arts and cultural affairs law, as added by chapter 57 of the laws of 1993, is amended to read as follows:

S 54.17. [Members] DIRECTORS and employees not to profit. No officer, [member] DIRECTOR or employee of the trust shall receive or may be lawfully entitled to receive any pecuniary profit from the operation thereof except reasonable compensation for services in effecting one or more of its purposes as set forth in this title.

S 3. This act shall take effect immediately.